



Ministry of Defence

Ref: FOI2020/04786

Defence Business Services

Secretariat Team
Room 6303
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25 June 2020

Dear

Thank you for your email of 1 April 2020 asking for the following information:

"I was wondering if you could provide me with the following information under the freedom of information act:

- 1) the number of "payouts" / severance packages paid out by the department in the past three years to civil servants and other officials (e.g. SPADs) below retirement age*
- 2) the total amount paid out by the department in "payouts" / severance packages in the past three years to civil servants and other officials (eg SPADs) below retirement age*
- 3) where available, a breakdown of the reasons cited for the "payout", providing number and amount for each reason. Please note that if you cannot provide provide exact figures, you can provide a range/ballpark (eg fewer than five, more than 10 etc. and/or £20-50K) as per ICO guidance."*

Thank you also for refining your request on 21 April 2020 to the following:

"Can I ask that it be reviewed and a narrower frame be applied to my request in order to hopefully fall within the cost limits.

Specifically, you could provide the information on settlements only. So, of the 378 individuals that have exited the MOD since 01/04/17 on either Voluntary Exit, Voluntary Release or Compulsory Redundancy terms, how many received a settlement payment and what was the total amount paid in settlements to these individuals.

I am treating your correspondence as a request for information under the Freedom of Information Act 2000 (FOIA).

Defence Business Services (DBS) have interpreted your request as seeking information relating to individuals who received a severance payment before they had reached the age at which they could claim a pension under the relevant scheme, or 'pensionable age'.

A search for the information has now been completed within the Ministry of Defence (MOD), and I can confirm that some of the information in scope of your request is held. However, we will not be able to answer your request without exceeding the appropriate cost limit. This is because, MyCSP was the payment authority for Civil Service Compensation Scheme payments until 1 January 2019 at which point, Defence Business Services took over the responsibility to pay directly. No record of payments made prior to this date is therefore held by the MOD.

Where the MOD have made a severance payment, in order to obtain the relevant data, each payroll record would need to be examined to ascertain the payroll element used to establish the amount paid. Each of the individual personal files would need to be examined to confirm if a payment was made, when and by who. Computer records would then need to be interrogated to establish the values of the payments made.

Section 12 of the Act makes provision for public authorities to refuse requests for information where the cost of dealing with them would exceed the appropriate limit, which is set at £600. This represents the estimated cost of one person spending 3.5 working days in determining whether the department holds the information, and locating, retrieving and extracting it.

It is estimated that for an individual to retrieve each file, identify if the payment was made before pension age, and then identify the relevant payment authority would take an estimated minimum of 8.5 working days, based on it taking an estimated 10 minutes per file. This does not take in to account the time that would then be required to review internal records of payment held by the MOD, and for the additional time and cost to request the payment details from the Cabinet Office.

Under Section 16 of the Act (Advice and Assistance) you may find it helpful to note that if you were to refine your request to the same information but limited to payments issued from 1 January 2019, the MOD may be able to process your request if this falls within the cost limit.

If you have any queries regarding the content of this letter, please contact this office in the first instance.

If you wish to complain about the handling of your request, or the content of this response, you can request an independent internal review by contacting the Information Rights Compliance team, Ground Floor, MOD Main Building, Whitehall, SW1A 2HB (e-mail CIO-FOI-IR@mod.gov.uk). Please note that any request for an internal review should be made within 40 working days of the date of this response.

If you remain dissatisfied following an internal review, you may raise your complaint directly to the Information Commissioner under the provisions of Section 50 of the Freedom of

Information Act. Please note that the Information Commissioner will not normally investigate your case until the MOD internal review process has been completed. The Information Commissioner can be contacted at: Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF. Further details of the role and powers of the Information Commissioner can be found on the Commissioner's website at <https://ico.org.uk/>.

Yours sincerely,

Defence Business Services Secretariat